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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: JOHN ZAGAJA ET AL. )  
Serial No.: 10/604,670 ) Group Art Unit: 1745  
Filed: August 8, 2003 )  
For: ELECTROCHEMICAL CELL SUPPORT ) Examiner: NYA  
STRUCTURE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

**PETITION TO CORRECT INVENTORSHIP**

Sir:

This is a petition for a correction of inventorship pursuant to 35 U.S.C. § 116 and 37 C.F.R. § 1.48(a).

04/12/2004 ZJUHAR1 00000031 10604670

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## REMARKS

Through error and without deceptive intention on his part, inventor Thomas Skoczylas was not named in the present Application. Applicants respectfully request a Correction of the Inventorship pursuant to 35 U.S.C. §116 and 37 C.F.R. §1.48(a). The correction requested is the addition of Thomas Skoczylas as inventor, and the corrected list of inventors is as follows:

**John Zagaja**  
23 Alderman Lane  
East Granby, CT 06026

**Dave Christensen**  
56 Laurel Road  
Harwinton, CT 06791

**Durwood Beringer**  
43 Lang Road  
Windsor, CT 06095

**Tushar Ghuwalewala**  
36 Village Drive, Apt. 110  
Wethersfield, CT 06109

**Chris Capuano**  
43 Lang Road  
Windsor, CT 06095

**Tony Hurtado**  
43 River Colony  
Guilford, CT 06437

**Thomas Skoczylas**  
74 Madison Avenue Ext.  
Meriden, CT 06451

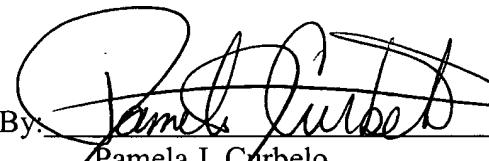
Pursuant to 37 C.F.R. § 1.48(a) you will find attached the following requirements:

1. A statement from the person being added (Thomas Skoczylas) that the error in inventorship was made without deceptive intention on his part.
2. Declarations by the actual inventors.
3. The processing fee set forth in 37 CFR § 1.17(i).
4. Written consent of the assignee, Proton Energy Systems, Inc.

Accordingly, Applicants respectfully request that this Correction of Inventorship may be permitted and accepted. If there are any additional charges with respect to this correction or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By:   
Pamela J. Curbelo  
Registration No. 34,676

Date: April 7, 2004  
Customer No.: 23462  
Telephone: (860) 286-2929



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Alexandria, VA 22313-1450

**STATEMENT UNDER 37 C.F.R. 1.48(a)(1)**  
**IN SUPPORT OF REQUEST TO CORRECT INVENTORSHIP**

Sir:

I, Thomas Skoczylas am an inventor in the above-identified patent application. I was mistakenly excluded as an inventor and such mistake occurred without any deceptive intention on the part of me, Thomas Skoczylas.

The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Mar 25, 2004

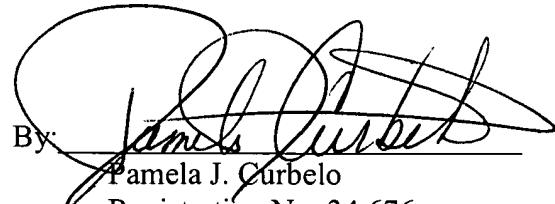


Thomas Skoczylas

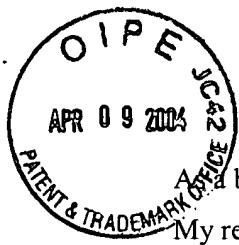
If anything further is required with respect to this statement, please contact the undersigned.

Respectfully submitted,

CANTOR COLBURN LLP

By   
Pamela J. Curbelo  
Registration No. 34,676

Date: April 7, 2004  
Customer No.: 023462  
Telephone: (860) 286-2929



### Combined Declaration for Patent Application and Power of Attorney

A below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**ELECTROCHEMICAL CELL SUPPORT STRUCTURE**, the specification of which

(check  
one)  is attached hereto.

was filed on **August 8, 2003** as Application Serial No. **10/604,670**

and (if applicable) was amended on:

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
(Number)	(Country)	(Day Month Year Filed)		
			YES	NO
			YES	NO
			YES	NO
			YES	NO
			YES	NO
			YES	NO
			YES	NO

I hereby claim the benefit under Title 35, United States Code, §120 of any United States Application(s) listed below and , insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status- patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

**PROVISIONAL APPLICATION NUMBER**

**60/402,414**

**FILING DATE**

**August 9, 2002**

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys, and/or agents with full power of substitution, association, and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

**CUSTOMER NUMBER 23462**

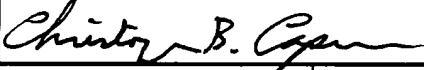
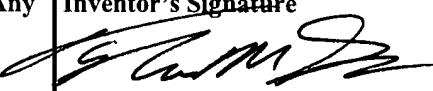
**ADDRESS ALL CORRESPONDENCE TO: DIRECT ALL TELEPHONE CALLS TO:**

**CANTOR COLBURN LLP  
55 Griffin Road South  
Bloomfield, CT 06002, USA**

**Pamela J. Curbelo  
(860) 286-2929  
Facsimile (860) 286-0115**

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

<b>Full Name of Sole or First Inventor</b>	<b>Inventor's Signature</b>	<b>Date</b>
John Zagaja		3/30/04
<b>Residence</b>	<b>Citizenship</b>	
23 Alderman Lane East Granby, CT 06026	USA	
<b>Post Office Address</b>		
23 Alderman Lane East Granby, CT 06026		
<b>Full Name of Second Joint Inventor, If Any</b>	<b>Inventor's Signature</b>	<b>Date</b>
Dave Christensen		3/30/2004
<b>Residence</b>	<b>Citizenship</b>	
56 Laurel Road Harwinton, CT 06791	USA	
<b>Post Office Address</b>		
56 Laurel Road Harwinton, CT 06791		
<b>Full Name of Third Joint Inventor, If Any</b>	<b>Inventor's Signature</b>	<b>Date</b>
Durwood Beringer		3/30/2004
<b>Residence</b>	<b>Citizenship</b>	
43 Lang Road Windsor, CT 06095	USA	
<b>Post Office Address</b>		
43 Lang Road Windsor, CT 06095		

<b>Full Name of Fourth Joint Inventor, If Any</b> Tushar Ghuwalewala		<b>Inventor's Signature</b> 	<b>Date</b> 03/30/04
<b>Residence</b> 36 Village Drive, Apt. 110 Wethersfield, CT 06109		<b>Citizenship</b> India	
<b>Post Office Address</b> 36 Village Drive, Apt. 110 Wethersfield, CT 06109			
<b>Full Name of Fifth Joint Inventor, If Any</b> Chris Capuano		<b>Inventor's Signature</b> 	<b>Date</b> 3/30/04
<b>Residence</b> 13 Pine Hill Road Windsor Locks, CT 06096		<b>Citizenship</b> USA	
<b>Post Office Address</b> 13 Pine Hill Road Windsor Locks, CT 06096			
<b>Full Name of Sixth Joint Inventor, If Any</b> Tony Hurtado		<b>Inventor's Signature</b> 	<b>Date</b> 3/30/04
<b>Residence</b> 43 River Colony Guilford, CT 06437		<b>Citizenship</b> USA	
<b>Post Office Address</b> PO Box 580 Enfield, CT 06083-0580			
<b>Full Name of Sixth Joint Inventor, If Any</b> Thomas Skoczylas		<b>Inventor's Signature</b> 	<b>Date</b> 3/30/04
<b>Residence</b> 74 Madison Avenue Ext. Meriden, CT 06451		<b>Citizenship</b> USA	
<b>Post Office Address</b> 74 Madison Avenue Ext. Meriden, CT 06451			



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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 Serial No.: 10/604,670 ) Group Art Unit: 1745  
 Filed: August 8, 2003 )  
 For: ELECTROCHEMICAL CELL SUPPORT ) Examiner:  
      STRUCTURE )

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**CONSENT OF ASSIGNEE**  
**Under 37 C.F.R. §1.48(a) and Pursuant to 37 C.F.R. 3.73(b)**

Proton Energy Systems, Inc., is the assignee of the entire right, title, and interest in the above-identified patent by virtue of an assignment from the inventors. The assignment was recorded in the Patent and Trademark Office, mailed November 17, 2003. (A copy of the assignment is attached since a reel and frame are not currently available.)

Proton Energy Systems, Inc. (assignee) hereby consents to the change in inventorship pursuant to 37 C.F.R. § 1.48(a) to add new inventor Thomas Skoczylas to Application No. 10/604,670, filed August 8, 2003, and entitled

ELECTROCHEMICAL CELL SUPPORT STRUCTURE

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Signature:

Printed name:

Title:

Date:

APR 09 2004

## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office**PATENTS ONLY**

Tab settings → → → ↓

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

John Zagaja	Dave Christensen
Durwood Beringer	Tushar Ghuwalewala
Chris Capuano	Tony Hurtado

Additional names(s) of conveying party(ies)

 Yes  No

## 3. Nature of conveyance:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger         |
| <input type="checkbox"/> Security Agreement    | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other _____           |   |

Execution Date: 10/31/03 & 11/03/0310/27/03, 10/28/03, 10/29/03,

## 2. Name and address of receiving party(ies):

Name: Proton Energy Systems, Inc.Address: 10 Technology Drive

## 4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

Patent Application No. \_\_\_\_\_ Filing date \_\_\_\_\_

10/604,670 August 8, 2003

## B. Patent No.(s)

Additional numbers

 Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Pamela J. CurbeloRegistration No. 34,676Address: Cantor Colburn LLP55 Griffin Road SouthCity: Bloomfield State/Prov.: CTCountry: USA ZIP: 060026. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41): ..... \$ 40.00 Enclosed - Any excess or insufficiency should be credited or debited to deposit account Authorized to be charged to deposit account

## 8. Deposit account number:

06-1130

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Pamela J. Curbelo

Name of Person Signing

Signature

November 17, 2003

Date

3

Total number of pages including cover sheet, attachments, and

ASSIGNMENT

WHEREAS We (hereinafter referred to as "ASSIGNORS"), **John Zagaja of 23 Alderman Lane, East Granby** in the State of Connecticut; **Dave Christensen of 56 Laurel Road, Harwinton** in the State of Connecticut; **Durwood Beringer of 43 Lang Road, Windsor** in the State of Connecticut; **Tushar Ghuwalewala of 36 Village Drive, Apt. 110, Wethersfield** in the State of Connecticut; **Chris Capuano of 43 Lang Road, Windsor** in the State of Connecticut and **Tony Hurtado of 43 River Colony, Guilford** in the State of Connecticut have invented certain new and useful improvements in:

**ELECTROCHEMICAL CELL SUPPORT STRUCTURE**

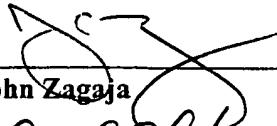
which claims priority to U.S. Provisional Application Serial No. 60/402,414, filed August 9, 2002, and for which we filed an application for Letters Patent of the United States;

AND WHEREAS, Proton Energy Systems, Inc., (hereinafter referred to as "ASSIGNEE"), a corporation organized and existing under the laws of the State of Delaware, having a place of business at 10 Technology Drive, Wallingford, Connecticut 06492, is desirous of acquiring an interest in the United States and all foreign countries, in and to the said invention and Letters Patent to be obtained therefor;

NOW THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have assigned and transferred, and hereby assign and transfer unto the said ASSIGNEE, the entire right, title and interest in and to said invention in the United States and in all foreign countries, including priority rights, as fully set forth and described in said application; and we do hereby authorize and request the Commissioner of Patents to issue said Letters Patent on said application, and any and all Letters Patent that may be issued upon any and all revivals, refilings, continuations, continuations-in-part, divisions and reissues thereof, to the said ASSIGNEE, an assignee of the entire right, title and interest in and to the same, for the sole use and behoof of ASSIGNEE, its successors and assigns; and we do hereby agree that the said ASSIGNEE, may apply for foreign Letters Patent on said invention and that we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by the said ASSIGNEE, its successors or assigns, and that we will, at the cost and expense of the said ASSIGNEE fully assist and cooperate in all matters in connection with the United States and foreign applications and patents issuing thereon.

The undersigned declare that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

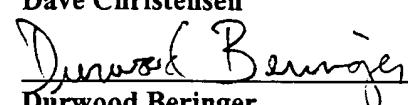
Inventors:

Date: 11/3/03 L.S.

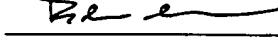
John Zagaja

Date: 10/28/03 L.S.

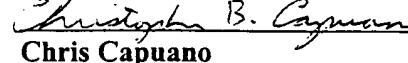
Dave Christensen

Date: 10/28/03 L.S.

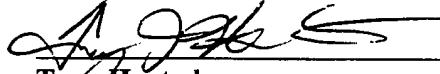
Durwood Beringer

Date: 10/29/03 L.S.

Tushar Ghuwalewala

Date: 10/27/03 L.S.

Chris Capuano

Date: 10-31-03 L.S.

Tony Hurtado